



PATENT
Customer No. 22,852
Attorney Docket No. 08888.0530-01000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Patrick BENOIT et al.) Group Art Unit: 1632
)
Application No.: 10/802,030) Examiner: Not Yet Assigned
)
Filed: March 17, 2004)
)
For: SEQUENCES UPSTREAM OF)
THE CARP GENE, VECTORS)
CONTAINING THEM AND USES)
THEREOF)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents were previously submitted by Applicants or cited by the Examiner in prior application No. 10/005,337, filing date December 7, 2001, upon which Applicants rely for the benefits provided in 35 U.S.C. § 120. Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists, and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

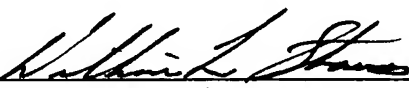
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

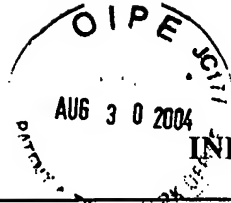
If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: August 30, 2004

By: 
William L. Strauss
Reg. No. 47,114



INFORMATION DISCLOSURE CITATION

Atty. Docket No.	08888.0530-01000	Appln. No.	10/802,030
Applicant	Patrick BENOIT et al.		
Filing Date	March 17, 2004	Group:	1632

U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate

FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
WO 00/15821	03/23/00	WIPO			No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Aihara et al., "Homo Sapiens Cardiovascular-Specific Cardiac Ankyrin Repeat Protein (CVARP) Gene, 5'-Flanking Region and Exon 1," EMBL Database Accession No. AF131884, February 15, 2000.
	Jeyaseelan et al., "A Novel Cardiac-Restricted Target for Doxorubicin," <i>The Journal of Biological Chemistry</i> , Vol. 272, 22800-22808, 1997.
	Zou et al., "CARP, a Cardiac Ankyrin Repeat Protein, is Downstream in the <i>Nkx2-5</i> Homeobox Gene Pathway," <i>Development</i> , Vol. 124, 793-804, 1997.
	Kuo et al., "Control of Segmental Expression of the Cardiac-Restricted Ankyrin Repeat Protein Gene by Distinct Regulatory Pathway in Murine Cardiogenesis," <i>Development</i> , Vol. 126, 4223-4234, 1999.
	Alarco et al., "The bZip Transcription Factor Cap1p is Involved in Multidrug Resistance and Oxidative Stress Response in <i>Candida Albicans</i> ," <i>Journal of Bacteriology</i> , Vol. 181, 700-708, 1999.
	Mohuczky et al., "Antisense Inhibition of AT ₁ Receptor in Vascular Smooth Muscle Cells Using Adeno-Associated Virus-Based Vector," <i>Hypertension</i> , Vol. 33, 354-359, 1999.
	Philip et al., "Gene Modification of Primary Tumor Cells for Active Immunotherapy of Human Breast and Ovarian Cancer," <i>Clinical Cancer Research</i> , Vol. 2, 59-68, 1996.
	Chen et al., "Overexpression of Human Endothelial Nitric Oxide Synthase in Rat Vascular Smooth Muscle Cells and in Balloon-Injured Carotid Artery," <i>Circulation Research</i> , Vol. 82, 862-870, 1998.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce